

REMARKS

The Office Action of October 15, 2007 has been reviewed and these remarks are responsive thereto. Claims 1-20 remain pending in this application. Claims 1 and 19 have been amended. Reconsideration and allowance of the instant application in view of the foregoing amendments and following remarks are respectfully requested. Each of the Examiner's rejections is discussed below.

SECTION 103

Claims 1-3, 6, 9, and 12-20

Claims 1-3, 6, 9, and 12-20 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 3,029,651 to Flatt ("Flatt") in view of U.S. Patent No. 5,253,382 to Beny ("Beny") and U.S. Patent No. 5,813,079 to Halm ("Halm"). This rejection is respectfully traversed.

Flatt describes an electrically operated toothbrush having a cylindrical portion into which a toothbrush is mounted via a threaded connection. Col. 1, lines 66-72. Flatt further describes a drive system in which a rotating disc imparts and orbital path to a rod connected to a head. The orbital path is translated into an upward and downward motion of the toothbrush. Col. 2, lines 42-58. A rod extends through an aperture in the rotating disc. Col. 2, lines 36-41.

Beny is cited as disclosing a toothbrush having a cam track with an inner wall and an outer wall that forms a closed loop track. Halm is cited a treating instrument that is separately movable from the head.

The proposed combination of Flatt and Beny fails to disclose or make obvious a drive system including a cam track and a drive shaft having a longitudinal axis, a drive end, and a driven end, with the drive end and driven end being coaxial along the longitudinal axis, the drive end freely mounted in the cam track, and the driven end operatively mounted to a drive connection of an implement head, as required by independent claims 1 and 19. In Flatt, a link 29 is mounted in its cam track (aperture 8). Link 29 is pivotally connected by a joint 34 to inner end 12 of rod 10,

with outer end 11 of rod 10 connected to toothbrush 15. Thus, Flatt does not disclose or make obvious the required coaxial drive and driven ends of a drive shaft that are mounted in a cam track and operatively mounted to a drive connection, respectively. Beny and Halm simply have no cam track into which a drive shaft is mounted.

Since these required elements are not disclosed or made obvious by the proposed combination of Flatt, Beny, and Halm, the rejection is improper and should be withdrawn.

Claims 4-5

Claims 4-5 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Flatt, Beny, and Halm in view of U.S. Patent No. 6,895,625 to Lev et al. ("Lev"). This rejection is respectfully traversed.

Lev fails to overcome the deficiencies of Flatt, Beny, and Halm noted above and, therefore, the combination of Flatt, Beny, Halm, and Lev, even if proper, fails to teach or suggest all the features of independent claim 1, from which claims 4-5 depend. Accordingly, the rejection is improper and should be withdrawn.

Claims 7-8

Claims 7-8 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Flatt, Beny, and Halm in view of U.S. Patent No. 3,538,530 to Stemme ("Stemme"). This rejection is respectfully traversed.

Stemmer fails to overcome the deficiencies of Flatt, Beny, and Halm noted above and, therefore, the combination of Flatt, Beny, Halm, and Stemme, even if proper, fails to teach or suggest all the features of independent claim 1, from which claims 7-8 depend. Accordingly, the rejection is improper and should be withdrawn.

Claim 10

Claim 10 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Flatt, Beny, and Halm in view of U.S. Patent Publication No. 2003/0066145 to Prineppi ("Prineppi"). This rejection is respectfully traversed.

Prineppi fails to overcome the deficiencies of Flatt, Beny, and Halm noted above and, therefore, the combination of Flatt, Beny, Halm, and Prineppi, even if proper, fails to teach or suggest all the features of independent claim 1, from which claim 10 depends. Accordingly, the rejection is improper and should be withdrawn.

Claim 11

Claim 11 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Flatt, Beny, and Halm in view of U.S. Patent No. 4,149,291 to Stoltz ("Stoltz"). This rejection is respectfully traversed.

Stoltz fails to overcome the deficiencies of Flatt, Beny, and Halm noted above and, therefore, the combination of Flatt, Beny, Halm, and Stoltz, even if proper, fails to teach or suggest all the features of independent claim 1, from which claim 11 depends. Accordingly, the rejection is improper and should be withdrawn.

CONCLUSION

It is respectfully submitted that this application is in condition for allowance. If any additional fees are required or if an overpayment has been made, the Commissioner is authorized to charge or credit Deposit Account No. 03-2455.

Respectfully submitted,
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